

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
(PITTSBURGH)

IN RE:

Kim M. Shields
DEBTOR.

CHAPTER 13

CASE NO.: 17-21251-TPA

HEARING DATE: May 15, 2019

HEARING TIME: 11:00 AM

**DECLARATION WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR MFRA TRUST 2016-1'S
RESPONSE TO THE DEBTOR'S OBJECTION TO THE NOTICE OF MORTGAGE
PAYMENT CHANGE DATED MARCH 4, 2019**

Jennifer Knox, being duly sworn on oath, deposes and states as follows:

1. I am authorized to execute this declaration on behalf of Fay Servicing, LLC, as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 ("Wilmington Trust") as Fay Servicing, LLC, has been duly nominated and appointed by Wilmington Trust, Secured Creditor herein, as its mortgage servicing agent with regards to the mortgage loan which is the subject of this action (the "Mortgage"). The statements made in this Declaration are based on my personal knowledge.

2. In my capacity as 1st VP, Escrow and Payments, of Fay Servicing, LLC, I have access to Wilmington Trust's business records, including the business records for and relating to the account that forms the basis of this bankruptcy action. These records include the historic records of all prior mortgage holders. I make this Declaration based upon my review of those records and from my own personal knowledge of how they are kept and maintained. The loan records are maintained by Fay Servicing, LLC in the course of its regularly conducted

business activities and are made at or near the time of the event, by or from information transmitted by a person with knowledge.

3. I reviewed Fay Servicing, LLC's business records, and I relied upon those records for the statements made in this Declaration, which include but are not limited to the Mortgage, the Note, and Fay Servicing, LLC's electronic servicing system, "MSP."

4. On December 19, 2018, Fay Servicing, as servicing agent for Wilmington Trust, sent an Escrow Account Disclosure Statement ("Escrow Disclosure") to Debtor showing the projected payment escrow activity for the time period April 2019 through March 2020.

5. The Escrow Disclosure showed the anticipated balance and disbursements from Debtor's escrow account, which disbursements reflect the payment of property taxes and homeowner's insurance.

6. The Escrow Disclosure reflects a yearly escrow amount of \$11,743.44.

7. Due to the projected escrow activity, Debtor's payments for escrow were set to increase to \$978.62 per month to account for the yearly escrow amount required.

8. The property tax payments are based on Fay Servicing's estimate of taxes to be paid from April 2019 through March 2020, taking into account the assessed value of the Property and the historic tax records and rates of the various taxing authorities.

9. The homeowner's insurance payments are based on the statement sent to Fay Servicing on December 12, 2018 reflecting a premium of \$2,721.00 for 2019.



Name: Jennifer Knox
Title: 1st VP, Escrow and Payments
Fay Servicing, LLC, as
servicer and attorney-in-fact for Wilmington
Trust, National Association, not in its
individual capacity, but solely as trustee for
MFRA Trust 2016-1

File#: 19486-347

Name: Shields

Response to Objection to the Notice of Payment Change Dated March 4, 2019